

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1819**

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**Introduced by Assembly Member Ammiano**

February 21, 2012

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An act to amend Section ~~49557~~ 47611 of the Education Code, relating to ~~school meals~~ charter schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 1819, as amended, Ammiano. ~~School meals: free or reduced-priced meals. Charter schools: State Teachers' Retirement Plan.~~

*Existing law provides that all employees of a charter school who perform creditable service are entitled to have that service covered under the Defined Benefit Program of the State Teachers' Retirement Plan, if the charter school elects to make that plan available. Existing law further requires a charter school that elects to make that or another plan available to inform all applicants for employment of the retirement options for employees of the charter school, as specified.*

*This bill would require charter schools to make the State Teachers' Retirement Plan and the Public Employees' Retirement Plan available to its employees, as specified, and makes corresponding changes to the information charter schools are required to provide regarding retirement options.*

~~Existing law requires each school district and county superintendent of schools maintaining kindergarten or any of grades 1 to 12, inclusive, to provide for each needy pupil one nutritionally adequate free or reduced-price meal during each schoolday. Existing law requires the governing board of a school district and the county superintendent of~~

~~schools to make applications for free or reduced-price meals available to students at all times during each regular schoolday. Existing law also requires the governing board of each school district and county superintendent of schools to formulate a plan that, among other things, will ensure that children eligible to receive free or reduced-priced meals and milk shall not be treated differently than other children.~~

~~This bill would make nonsubstantive changes to these 2 latter provisions:~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 47611 of the Education Code is amended  
2     to read:

3     47611. (a) ~~If a~~A charter school ~~chooses to~~ shall make the State  
4     Teacher's Teachers' Retirement Plan available, and all employees  
5     of the charter school who perform creditable service shall be  
6     entitled to have that service covered under the plan's Defined  
7     Benefit Program or Cash Balance Benefit Program, ~~and all. All~~  
8     provisions of Part 13 (commencing with Section 22000) and Part  
9     14 (commencing with Section 26000) of Division 1 of Title 1 shall  
10    apply in the same manner as the provisions apply to other public  
11    schools in the school district that granted the charter.

12    (b) ~~(1) If a~~A charter school ~~offers~~ shall offer its employees  
13    coverage by the State Teachers' Retirement System or the Public  
14    Employees' Retirement System, ~~or both, the charter school and~~  
15    shall inform all applicants for positions within that charter school  
16    of the retirement system options for employees of the charter  
17    school.

18    ~~(2) The information shall specifically include whether the charter~~  
19    ~~school makes available to employees coverage under the State~~  
20    ~~Teachers' Retirement System, the Public Employees' Retirement~~  
21    ~~System, or both systems, and that accepting employment in the~~  
22    ~~charter school may exclude the applicant from further coverage~~  
23    ~~in the applicant's current retirement system, depending on the~~  
24    ~~retirement options offered by the charter of the charter school.~~

25    SECTION 1. Section 49557 of the Education Code is amended  
26    to read:

1     ~~49557. (a) (1) The governing board of a school district and~~  
2     ~~the county superintendent of schools shall make applications for~~  
3     ~~free or reduced-price meals available to pupils at all times during~~  
4     ~~each regular schoolday. The application shall contain, in at least~~  
5     ~~8-point boldface type, each of the following statements:~~

6     ~~(A) Applications for free and reduced-price meals may be~~  
7     ~~submitted at any time during a schoolday.~~

8     ~~(B) Children participating in the National School Lunch Program~~  
9     ~~will not be overtly identified by the use of special tokens, special~~  
10    ~~tickets, special serving lines, separate entrances, separate dining~~  
11    ~~areas, or by any other means.~~

12    ~~(2) A school district and the county superintendent of schools~~  
13    ~~shall use all other applications it has for free or reduced-price meals~~  
14    ~~before utilizing the applications pursuant to this subdivision.~~

15    ~~(b) The governing board of each school district and each county~~  
16    ~~superintendent of schools shall formulate a plan, which shall be~~  
17    ~~mailed to the department for its approval, that will ensure that~~  
18    ~~children eligible to receive free or reduced-price meals and milk~~  
19    ~~shall not be treated differently from other children. These plans~~  
20    ~~shall ensure each of the following:~~

21    ~~(1) Unless otherwise specified, the names of the children shall~~  
22    ~~not be published, posted, or announced in any manner, or used for~~  
23    ~~any other purpose other than the National School Lunch Program.~~

24    ~~(2) There shall be no overt identification of any of the children~~  
25    ~~by the use of special tokens or tickets or by any other means.~~

26    ~~(3) The children shall not be required to work for their meals~~  
27    ~~or milk.~~

28    ~~(4) The children shall not be required to use a separate dining~~  
29    ~~area, go through a separate serving line, enter the dining area~~  
30    ~~through a separate entrance, or consume their meals or milk at a~~  
31    ~~different time.~~

32    ~~(c) When more than one lunch or breakfast or type of milk is~~  
33    ~~offered pursuant to this article, the children shall have the same~~  
34    ~~choice of meals or milk that is available to those children who pay~~  
35    ~~the full price for their meal or milk.~~